





Meeting Minutes

Plan & Zoning Commission Meeting

Tuesday, May 4, 2010

Ankeny City Hall – City Council Chambers

410 W. First Street, Ankeny, Iowa

CALL TO ORDER

The May 4, 2010 meeting of the Plan & Zoning Commission was called to order at 6:30 pm by Chairman T.Ripper.

ROLL CALL

Members present: J.Austen, D.Fliger, D.Godwin, S.Lawrence, S.Odson, T.Ripper, L.Voigt.

Absent: T.Anliker, G.Pareti. Staff present: J.Peterson, E.Jensen, E.Carstens, T.Kuhn.

Commissioner T.Anliker arrived at 6:34 pm.

BUSINESS ITEMS

Item #5. Request to vacate a portion of NW 98th Avenue Right-of-Way

Staff Report: E.Carstens presented an aerial of the site and reported that this is a city staff request to vacate a portion of NW 98th Avenue located north of Cherry Glen Estates, east of Highway 415. He explained that the gravel road and right of way property was brought into the city as part of the northwest annexation in 2007. Development of the subdivision to the south and future plans to develop the properties to the north has rendered this right-of-way unnecessary. Staff is working with the adjacent property owners to ensure existing easements are in place; the right-of-way will not be conveyed to the adjacent owners until the vacation plat has been recorded and signed easement documents have been received from the appropriate parties. E.Carstens explained that a change to the Code requires proposals to vacate a street be referred by the Council to the Plan and Zoning Commission for study and recommendation prior to further consideration by the Council. Staff recommends approval of the vacation request.

D.Godwin asked if there will be a cost for the land to the adjacent property owners. E.Carstens said that it is property that will be taken off the city tax roll. J.Peterson explained that historically Cherry Glen would have developed and the gravel road would have stayed in place creating a future paving and assessment situation. In this case, vacation of the gravel road was considered with the design of the subdivision.

T.Anliker asked when the gravel road will go away. J.Peterson said that once the land is conveyed, it is whenever the owner wishes to remove it.

S.Odson asked why the ownership wouldn't be half to the north and half to the south. J.Peterson said that they have an agreement from the original owner to the south that they were not interested in the property.

Motion by J.Austen to recommend City Council approval of the request to vacate a portion of NW 98th Avenue Right-of-Way. Second by D.Godwin. All voted aye. Motion carried 8 – 0.

Topic: NW 98th Avenue ROW Vacation Request
Date: April 29, 2010
Prepared By: Eric Carstens, AICP
Associate Planner

Staff Recommendation:

That the Plan & Zoning Commission recommend City Council approval of a request to vacate a portion of NW 98th Avenue.

Discussion:

City staff is proposing to vacate a portion of the NW 98th Avenue right-of-way. The property is located north of Cherry Glen Estates, east of Highway 415. This County gravel road and right-of-way was annexed into the city as part of the 2007 NW Annexation. Development of Cherry Glen Estates to the south and future plans to develop the properties to the north has rendered this right-of-way unnecessary. Staff is working with the adjacent property owners to ensure easements are in place for existing utilities within the right-of-way. The right-of-way will not be deeded to the adjacent owners until the vacation plat has been recorded and signed easement documents have been received by the appropriate parties.

Chapter 153 of Ankeny Municipal Code states "Any proposal to vacate a street, alley, portion thereof or any public grounds shall be referred by the Council to the Plan and Zoning Commission for its study and recommendation prior to further consideration by the Council. The Commission shall submit a written report including recommendations to the Council within thirty (30) days after the date the proposed vacation is referred to the Commission."